

Serial No.: 09/989,181
Response to OA of 12/14/2004

Remarks

In the present response, claims 27-43 are newly added. Claims 1-43 are presented for examination. Applicants believe that no new matter is entered.

I. Claim Rejections: 35 USC § 102

Claims 1-18, 21, 25, and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by USPN 5,848,373 (DeLorme). Applicants respectfully traverse.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since DeLorme neither teaches nor suggests each element in claims 1-18, 21, 25, and 26, these claims are allowable over DeLorme.

Claim 1 recites numerous recitations that are not taught or suggested in DeLorme. By way of example, claim 1 recites "an **image capturing** and display system **that captures and displays an image containing a landmark** of interest" (emphasis added). Nowhere does DeLorme teach or suggest an image capturing system that captures an image. By contrast, DeLorme teaches a computer aided map location system. This system, however, does not capture an image and display an image containing a landmark.

The Office Action cites three different locations in DeLorme for teaching capturing and displaying an image containing a landmark of interest. Applicants respectfully disagree and address each one of these cited locations.

First, the Office Actions cites col. 10 of DeLorme (no specific lines cited). Column 10 of DeLorme teaches, for example, the following:

According to one embodiment, the location of a loc/object alone is displayed on a grid quadrangle presented on the CAMLS PDA/PC/EC display for correlation and coordination of that location with a corresponding location on a printed paper map. (Col. 10, lines 10-14).

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Nowhere does this section of DeLorme (or anywhere in column 10) teach or suggest an image capturing system that captures and displays an image containing a landmark of interest.

Second, the Office Actions cites col. 13, lines 14-17. This section of DeLorme is reproduced below:

Furthermore, the user location may be associated with a street address location, major routes, cities, or other geographical landmarks in the vicinity of the user location also displayed on the grid. (Col. 13, lines 14-17).

Nowhere does this section of DeLorme teach or suggest an image capturing system that captures and displays an image containing a landmark of interest.

Third, the Office Actions cites col. 23, lines 51-56. This section of DeLorme is reproduced below:

As shown in FIG. 3, the graphics display screen 18 of the PDA not only shows the user location by arrow 32 of the type illustrated in FIG. 1D, but also two major routes 35,36 and a loc/object 38, for example a well known landmark that may also be accompanied by identifying text. (Col. 23, lines 51-56).

Nowhere does this section of DeLorme teach or suggest an image capturing system that captures and displays an image containing a landmark of interest.

For at least these reasons, Applicants respectfully submit that DeLorme does not teach or suggest claim 1. A dependent claim inherits the limitations of a basic claim. Thus, for at least the reasons given in connection with claim 1, dependent claims 2-18, 21, and 25-26 are allowable over DeLorme.

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II. Claim Rejections: 35 USC § 103

Claims 19, 20, 22-24 are rejected under 35 USC § 103(a) as being unpatentable over DeLorme in view of USPN 5,848,373 (Mark). Applicants respectfully traverse.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Applicants assert that the rejection does not satisfy these criteria.

As discussed in connection with Section I, DeLorme fails to teach or suggest all of the limitations of independent claim 1. Mark fails to cure the deficiencies of DeLorme. Claims 19, 20, 22-24 depend from claim 1. Thus, for at least the reasons given in connection with claim 1 in Section I, dependent claims 19, 20, 22-24 are allowable.

III. New Claims

Applicants submit new claims 27-43. These claims have numerous limitations that are not taught or suggested in the art of record. Support for these claims is in the specification; thus, no new matter is added.

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CONCLUSION

In view of the above, Applicants believe all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,



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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 703-872-9306 on this 14th day of March, 2005.

By

Name: Be Henry

